

## **Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance**

The following questions are aimed at identifying whom it is you serve. Please note that the term "serve" is used to include not only those who are often considered direct beneficiaries of government programs and activities, but also those individuals with whom law enforcement or other enforcement entities may have encounters, as well as those individuals who are or should be subject to public information missions of recipients. Recipients should also consider LEP parents or guardians when their English proficient or LEP minor children and dependents encounter their programs, activities, or services:

**Has your organization developed a demographic profile of the population served or likely to be served by your Federally funded programs and activities?**

No.

**By primary language spoken?**

Yes. Working with leaders from other not for-profit organizations working in Western Missouri, we have identified the most commonly spoken languages by low-income people in Western Missouri. These are: Spanish, Arabic, Somali, Vietnamese, Sudanese Dinka, and Swahili (not necessarily in that order (after Spanish)).

Other languages spoken, less frequently, in the LAWMO service area by people with low-incomes include: Amharic, Farsi, Baria, Kurdish, Pashtu, Serbo-Croatian, Oromo, Mandarin, Tigrinian, Russian, Burmese, Kiswahili, Hmong, Maimai, Laotian, Cambodian (Khmer), Portuguese, Creole-Haitian and French

**If so, list the language groups and the languages spoken.**

See above.

**Is your institution working with any community-based organization(s) that is (are) familiar with the language needs of individuals participating in any of your programs and activities, or to whom you provide services or encounter?**

Yes.

**If so, describe.**

LAWMO has formed an LEP Committee to try to assure that we are meeting the needs of clients and potential clients who are not proficient in English. Membership on the Committee includes directors of interpretive services for the following organizations, all of which have substantial experience serving clients in LEP communities: Truman Medical Center; Catholic Charities of Kansas; Jewish Vocational Services. The Committee also includes the Director of the Kansas City Somali Foundation and the Director of the Sudanese Foundation in Kansas City.

LAWMO's staff members also have regular ongoing dealings with numerous other organizations that serve clients from LEP communities and LAWMO, itself serves well over 300 non-English speaking clients per year.

## **Section II: Frequency of Contact**

**Does your organization have a process for surveying, collecting and/or recording primary language data for individuals that participate in your programs and activities?**

Yes.

**If so, describe the categories used in the collection of data, where the data resides, and who can access the data.**

Each of Legal Aid of Western Missouri's offices now tracks the number of contacts intake personnel have with non-English speaking clients and potential clients; the languages spoken; and how the client was served.

This information is currently tracked by the Deputy Executive Director and will eventually be tracked by whoever within LAWMO is appointed to be LAWMO's LEP Director. It is available to the Executive Director, all members of the LEP Committee and anyone else who requests it.

## **Section III: Importance**

Once you have assessed what languages to consider with regard to access, both through an analysis of the demography and frequency of contact, you can then look at the nature and importance of your programs, activities, or services.

As a rule of thumb, the more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed. You

should then determine whether denial or delay of access to services or information could have serious implications for the LEP individual.

**Do you conduct compulsory activities?**

Yes. We require applications and interviews before providing any in-depth services for our clients.

(For example, do you require applications, consent, interviews, or other activities prior to participation in any of your programs and/or activities, in order to obtain some benefit, service, or information, or in order to participate in a higher level program? )

**Do you conduct involuntary programs or activities (like custodial interrogations, hearings, trials, evictions, etc.) or provide compulsory education or other mandatory programs or activities?**

No.

**If so, what are they?**

Not applicable.

**In addition to the above, do you conduct programs or activities that have serious consequences, either positive or negative, for a person who participates? (including, but not limited to, for example: health, safety, economic, environmental, educational, law enforcement, housing, food, shelter, protection, rehabilitation, discipline, transportation, etc.).**

Yes.

**What are they?**

The vast majority of the cases that we handle for our clients have serious consequences. For example, we represent clients in cases to determine whether the client: will be eligible for Medicaid, Social Security or other public benefits; will be evicted from their home; will obtain a Protective Order to stop domestic violence; or will obtain or preserve valid documentation to allow them to stay in the United States.

**Have you determined the impact on actual and potential beneficiaries of delays in the provision of services or participation in your programs and/or activities (economic, educational, health, safety, housing, ability to assert rights, transportation costs, etc.)?**

Yes.

**If so, what are they?**

For the vast majority of our clients, relatively minor delays (under 24 or 48 hours) will not have substantial negative consequences. There are, however, exceptions to this. A client may be facing an eviction or foreclosure, for example, in the next 24 hours and any delay in representing the client may jeopardize his or her rights. Even in situations in which the client is not facing imminent time deadlines, our goal is to avoid delays for clients who are non-English proficient.

**Section IV: Resources**

Once you have reviewed your demographics, frequency of contact, and importance of your programs, activities, or services, a good self-assessment will identify the resources (dollars and personnel) available to ensure the provision of language assistance to LEP persons participating in your programs and/or activities. The level of resources and the costs may have an impact on the nature of the language assistance provided. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with large budgets. In addition, "reasonable costs" may become "unreasonable" where the costs substantially exceed the benefits.

Reduction of costs for language services can be accomplished by such options as the use of technology (such as sharing through the internet, telephonic language lines, etc.); the sharing of language assistance materials and services among and between recipients, advocacy groups, and Federal grant agencies; and reasonable business practices. You should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

**Have you identified the resources needed to provide meaningful access for LEP persons?**

Yes.

**Are those resources currently in place?**

Largely, yes. A number of details remain to be completed including Bridging the Gap training for on-staff interpreters at LAWMO and cultural competency training for casehandlers, paralegals and intake personnel

who work with clients who have limited English proficiency.

**Is there a staff member in your organization assigned to coordinate language access activities?**

No, but our LAP plan includes a timetable for making that assignment.

**If so, please identify by name or title, etc.**

Not applicable.

**Have you identified the points of contact where a LEP person interacts with your organization?**

Yes.

**If so, please describe.**

Initial contact is made with LAWMO's intake personnel in the respective offices. The vast majority of these contacts are by phone. After initial contact, the clients either contact the casehandler for their case directly or call back to the LAWMO receptionist. For clients with limited English proficiency, most contacts after the initial call will be scheduled in advance and handled with an interpreter.

**Given the identified points of contact, is language assistance available at those points?**

Yes.

**If so, please describe.**

All intake personnel are either fluent in Spanish or have access to LAWMO staff members who are fluent in Spanish and can act as interpreters via conference call. For clients, who speak neither English nor Spanish, over the phone interpreters can be obtained through JVS or Language Line.

After the initial call, interpreters and translators are arranged in advance of subsequent client contacts.

**By language spoken, how many employees in your organization fluently speak a language other than English?**

Thirteen staff members are bilingual in English and Spanish. One managing attorney speaks Spanish, French and English fluently and has some knowledge of Hebrew and indigenous Mexican and Central American dialects. One attorney is bi-lingual French and English. One attorney is bilingual in Bengali (from West India) and English.

**What percent of the total employees in your organization are bilingual and able to competently assist LEP persons in the LEP person's language?**

Roughly 18 percent of our staff is bilingual.

**Do you utilize employees in your organization as interpreters?**

Yes.

Employees within our organization provide interpreter services (circle one):

Most of the time.

**What are the most common uses by your organization of other than employee (outside sources) language interpreter services?**

The most commonly used third-party interpreters are friends and family members of clients for initial interviews. We also use contract interpreters for in-person and over-the-phone interpretation. We plan to expand the use of these interpreters substantially under our LAP.

**What outside sources for interpreter services do you use?**

    X     Contract interpreters

    X     Telephone services

    X     Community-based organizations

           Language banks

           Other (please specify)

**For what languages other than English are outside sources of language interpreters most commonly used?**

Arabic, Somali, Vietnamese, Sudanese Dinka, and Swahili (not necessarily in that order (after Spanish)). Other languages spoken, less frequently, in the LAWMO service

area by people with low-incomes include: Amharic, Farsi, Baria, Kurdish, Pashtu, Serbo-Croatian, Oromo, Mandarin, Tigrinian, Russian, Burmese, Kiswahili, Hmong, Maimai, Laotian, Cambodian (Khmer), Portuguese, Creole-Haitian and French.

**If so, how?**

By using contract interpreters and friends and family members.

**Although you should not plan to rely on an LEP person's friends, family members, or other informal interpreters to provide meaningful access, are there times when you appropriately allow use of such informal interpreters?**

Yes.

**If so, under what circumstances?**

Generally, when there are no alternative means of obtaining interpretive services and most often in initial interviews with clients. We plan on expanding the use of contract interpreters and decreasing the use of informal, volunteer interpreters under the LAP.

**Are minors used as interpreters?**

Yes.

**If so, under what circumstances and how are issues such as competency, appropriateness, confidentiality, and voluntariness assessed?**

Generally, when there are no alternative means of obtaining interpretive services and most often in initial interviews with clients. We plan on expanding the use of contract interpreters and decreasing the use of informal, volunteer interpreters under the LAP.

**If additional resources are needed to ensure meaningful access, have you identified the cost of those resources?**

Yes.

**Are there any limitations in resources (dollars and personnel) that could impact the provision of language assistance services?**

Yes. If the costs were substantial, it might be difficult for LAWMO to allocate sufficient resources to meet the needs of our clients who do not speak English proficiently. Fortunately, LAWMO has obtained a \$20,000

grant to cover the cost of development and initial implementation of our LAP policy. This should allow us to meet the additional costs of providing services to clients with limited English proficiency at least through mid-2006.

**If so, have you explored all options available to you in order to ensure the provision of language assistance services?**

No. We have created an LEP Committee that includes some of the most experienced providers of not-for-profit services to people in our service area who have low-incomes and do not speak English proficiently. The Committee members have explored numerous options that would allow us to be certain that we are providing the full range of our services to clients who do not speak English proficiently, but we have not exhausted all the possible options. We believe, however, that the plan that we have developed will allow us to meet the full need of our clients.

**PART B: DEVELOPING A LANGUAGE ASSISTANCE PLAN**

**Section I: Goals**

**Section II: Planning**

Have you developed a comprehensive plan for language assistance to LEP persons?

Yes.

Briefly, in designing a comprehensive LAP you should follow the following five steps:

1) Identification of LEP Persons; 2) Language Assistance Measures; 3) Training Staff; 4) Providing Notice to LEP Persons; and, 5) Monitoring and Updating the LAP.

*1. Identification of LEP Persons*

*2. Language Assistance Measures*

In developing an effective LAP, you should also consider including information about the ways language assistance will be provided. For instance, you may want to include information on:

- Types of language services available
- How staff can obtain those services.
- How to respond to LEP callers.



- How to respond to written communications from LEP persons.
- How to respond to LEP individuals who have in-person contact with your staff.

### *3. Training Staff*

It is essential for the members of your organization to know your organization's obligations to provide meaningful access to information and services for LEP persons. It is, therefore, recommended that your LAP plan include training to ensure that:

- Staff know about LEP policies and procedures.
- Staff having contact with the public (or those in a recipient's custody) are trained to work effectively with in-person and telephone interpreters.

You may want to include this training as part of the orientation for new employees. The more frequent the contact with LEP persons, the greater the need will be for in-depth training. The manner in which the training is provided is within your organization's discretion.

### *4. Providing Notice to LEP Persons*

Once you have decided, based on the four-factor self-assessment in Part A, that provision of language services will be implemented, it is important to let LEP persons know that those services are available and that they are free of charge. You should provide this notice in a language LEP persons will understand. Some ways of accomplishing this objective include:

- Posting signs in intake areas and other entry points.
- Stating in outreach documents (brochures, booklets, outreach and recruitment information) in appropriate languages that language services are available.
- Working with community-based organizations to inform LEP persons of the language assistance available.
- Using a telephone voice mail menu in the most common languages encountered.
- Including notices in local newspapers in languages other than English.
- Providing notices in non-English language radio and television stations about the availability of language assistance services.
- Presentations and/or notices at school and religious organizations.

### *5. Monitoring and Updating the LAP*

You should, where appropriate, have a process for determining, on an ongoing basis, whether new documents, programs, services, and activities need to be made accessible for LEP individuals, and provide notice of any changes in services to the LEP public and to employees. In addition, you should consider whether changes in demographics, types of services, or other needs require annual reevaluation of your LAP.

One good way to evaluate your LAP is to seek feedback from the community, and assess potential LAP modifications based on:

- Current LEP populations in service area or population encountered or affected.
- Frequency of encounters with LEP language groups.
- Nature and importance of activities to LEP persons.
- Availability of resources, including technological advances, additional resources, and the costs imposed.
- Whether existing assistance is meeting the needs of LEP persons.
- Whether staff knows and understands the LAP and how to implement it.
- Whether identified sources for assistance are still available and viable.

Exemplary practices and further policies with regard to written LAPs can be found at <http://www.lep.gov> . The following questions are designed to assist in assessing your planning needs.

**Does your organization have a written policy on the provision of language interpreter and translator services?**

We are developing the policy. We anticipate that it will be in place by the end of 2005.

**If so, is a description of this policy made available to the general public?**

Yes. It will be.

**If so, how and when is it made available?**

Once the LAP is fully implemented, which will be by June, 2006, this information will be contained in LAWMO brochures and in our “I speak” cards.

**In what languages other than English is it made available?**

It will be available in Spanish, Arabic, Somali, Vietnamese, Sudanese Dinka, and Swahili and possibly other languages.

**Do you inform your employees of your policies regarding LEP persons?**

A draft of the policy will be distributed to all staff for comments before it is formally adopted. All staff will then also receive a copy of the policy after it is formally adopted and all staff who have interaction with clients will receive cultural competency training and will be reminded of the policy during that training.

**If so, how?**

By circulation of the policy through e-mail and reminders at training sessions.

**How often?**

After the initial notification, at least annually.

**Do you inform your subcontractors of your policies regarding LEP persons?**

At least initially, we do not plan on using sub-contractors to work with clients who have limited English proficiency, so no. We will inform JVS, which will conduct our interpreter training and cultural competency training and which will provide us with interpreters and translators.

**If so, how?**

In writing.

**How often?**

Once.

**Do you inform your subcontractors of their obligation to provide language assistance to LEP individuals who either participate in their programs and activities and/or to whom services are provided?**

No.

**If so, how?**

**How often?**

**Do your subcontractors have a written policy on the provision of language interpreter and translator services?**

We don't know.

**If so, is it distributed to the general public?**

**If so, when and how is it made available?**

**In what languages other than English is it made available?**

**Are beneficiaries informed that they will be provided interpreting services at no cost?**

Yes.

**How are they informed and at what points of contact?**

They will be informed by brochures, fliers, "I speak" cards, in-take personnel and case handlers.

**Do you ensure that your translators and/or interpreters are qualified to provide interpreting services (which is a different skill than being bilingual) and understand any confidentiality requirements?**

Yes.

**If so, how?**

All interpreters will pass a week-long "Bridging the Gap" training that assures that they have an understanding of an interpreter's role, responsibility and ethical and confidentiality requirements when working with a client. The Bridging the Gap training also deals with cultural competence issues. Whenever possible, when no LAWMO staff member speaks a client's language of choice, then LAWMO will use a JVS or Language Line (or other similarly trained) interpreter. For translators, we will use trained LAWMO staff members or JVS personnel.

**Is ability to speak a language other than English a factor in hiring decisions in your organization?**

Yes.

**If so, how do you identify which languages are needed?**

Through talking with other service providers in the community and our own staff, we have identified the top seven languages, other than English, most frequently spoken by low-income people living in our territory. We consider the ability of anyone to speak any of these languages as a strong advantage for an applicant seeking employment with LAWMO.

**Do you ensure that your bilingual staff are qualified to provide services in another language?**

Yes.

**If so, how?**

We have the applicant interview with a staff member who is bilingual to determine the applicant's language ability.

**List the written materials that you provide to the public.**

We provide brochures on numerous legal issues. We also provide two-page fliers that describe the services that we provide for clients. We also have a website and provide materials for a statewide website used by all four of Missouri's legal services programs.

**Do you provide written materials to the public in languages other than English?**

Yes.

**Is the public notified of the availability of the translated materials?**

Yes.

**If so, how?**

We are considering putting notices on all of our brochures of the availability of free interpreter and translation services.

**List all written materials provided to the public in languages other than English and the languages for which they are available.**

We are still working to determine what materials we should provide to the public in regard to our LEP work. At a minimum, we plan to have signage in our offices indicating the availability of free interpreter services; “I speak” cards; and, a two-page general description of the services we provide that will be translated into the seven languages most frequently spoken by low-income people in our territory.

We already have numerous fliers, particularly in regard to immigration issues that we circulate in Spanish.

**Are there set criteria for deciding which materials will be translated?**

We are currently working on criteria. In consulting with other area service providers who do high volume work with clients who have limited English proficiency, we have learned that many low-income, non-English speaking clients in our area have limited reading ability. The other providers have found that it is more effective to provide readily available and well-publicized site translation of documents. When site-translation of a document is requested by a relatively high volume of clients who speak a given language and who are able to read, we will consider translating the document into that language.

**Who will translate the materials?**

Materials will be translated by staff members (for staff members who are fluent in Spanish) or JVS-trained personnel (for other languages)

**How you will assess competency to translate?**

LAWMO staff members who translate documents into Spanish regularly have their work reviewed by LAWMO attorneys and other staff members who are fluent in Spanish. JVS regularly reviews the work of its translators, who will handle the translation of documents into languages other than Spanish.

**Who will provide a second check on the translation?**

For commonly translated documents, that are translated by staff members with established competency, there will be no second check. For Spanish documents that are more unusual, the documents will be reviewed by a Spanish speaking supervisor. For documents translated into languages other than Spanish, JVS will provide its own internal second-check for accuracy.

**Into which language(s) the materials will be translated?**

Critical documents will be translated or site translated into any language into which the client needs translation. Languages in which we will provide translation services include: Amharic; Arabic; Asl; Bosnian; Cambodian; Creole; Dari; Dinka; Farsi; French; German; Italian; Kurdish; Lao; Maay-Maay; Mandarin Chinese; Portugese; Russian; Somali; Spanish; Swahili; Taiwanese; Tigrinya; Ukranian; Urdu; and, Vietnamese.

**Are all translated materials pre-tested before made final?**

No.

**If no, which materials are not pre-tested and why?**

Materials in Spanish, which we already commonly use and which are translated by LAWMO staff members with established competency in Spanish for supervisors who are fluent in Spanish, are not pre-tested. This is the same established and successful process we use for documents that are in English.

**Section III: LAP Evaluation**

The following information is provided to assist you in identifying methods and approaches for evaluating a LAP. You are encouraged to review your LAP annually and to develop approaches for evaluation that are consistent with your respective LAP designs, individual needs and circumstances. The evaluation process allows for quality feedback into your organization. Also, the evaluation process can be used as a sentinel to detect problems before they grow, and to confirm best practices.

Because Federal law does not prescribe a particular program model or evaluation approach, the approach to, and design of, an effective LAP evaluation will vary for each Federal recipient. The questions set forth below are provided as primers for you to use in developing your own approach.

**Do you have and use a tool for collecting data on beneficiary satisfaction with interpreter services?**

No.

**Have any grievances or complaints been filed because of language access problems?**

No formal grievances have been filed, but, on rare occasion we have had informal complaints. From past experience, and from consulting with other service providers who have a great deal of experience in providing services to clients with limited English proficiency, we believe that, if there is a significant problem in interpreter or translator services, that will be clear to the casehandler (if there is confusion between the interpreter and the client or long side-bars between the two). Also, from past experience, we believe that if there are problems with interpreter or translation services, the client will bring those to the attention of a LAWMO staff member.

**If so, with whom?**

With supervising staff members.

**Do you monitor the system for collecting data on beneficiary satisfaction and/or grievance/complaint filing?**

We will monitor client complaints.

**Are the data used as part of a review by senior management of the effectiveness of your organization's language assistance program implementation?**

Not currently, but such a process is likely to be included in the LAP.

**Do you regularly update your LAP and assess for modifications given changing demographics, or changes or additions to your programs?**

We anticipate that this will be done on an annual or bi-annual basis.

**Do you obtain feedback from the community?**

Yes.

Generally, organizations measure "success" in terms of whether a plan, when implemented, leads to the achievement of the particular goals the organization has established. If the organization has established no particular goals, it can still be successful if the results are in concert with the organization's desired outcomes. In this case, the desired outcome is the provision of language assistance, when necessary, in order to ensure that LEP persons are able to participate meaningfully in the Federal recipients' programs and activities.



You should modify your LAP if it proves to be unsuccessful after a legitimate trial. As a practical matter, you may not be able to comply with this Title VI requirement unless you periodically evaluate your LAP.

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<sup>2</sup> 65 Fed. Reg. 50121 (August 16, 2000), signed by President William Clinton on August 11, 2000.